IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 19th day of September, 2006
Crl. Bail Application No. 573 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Mohammad Irfan
S/o Sri Nishar Hussain,
R/o Ward No. 9, Kasba & P.S. Kaladungi,
District Nainital.

..... Applicant

Versus

State of Uttaranchal ..... Opposite Party

Arising out of Crime No. 132 of 2006
Under Sections: 306 of the I.P.C. & ¾ Dowry Prohibition Act
Police Station: Kala Dhungi
District: Nainital.

Hon'ble Prafulla C. Pant, J.

Heard Mr. R.S. Sammal, learned counsel for the applicant and Mr. Nandan Arya, learned A.G.A. for the State.

Applicant Mohammad Irfan, who is in jail in connection with crime No. 132 of 2006, relating to offence punishable under Section 306 of I.P.C and offence punishable under Section 3/4 Dowry Prohibition Act, 1961, P.S. Kala Dhungi, District Nainital, has sought his release on bail.

The first information report is delayed by three days. The deceased married to the applicant about more than eight years before the date of incident. It is argued that the deceased after dissolution of her marriage with her first husband, got married to the present applicant. As such, it is contended that there was no question of demand of dowry.

Without expressing any opinion as to the final merits of the case, in the above facts and circumstances of the case, the applicant deserves bail.

Let the applicant be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Judicial Magistrate, Ramnagar.

(Prafulla C. Pant, J.)

Dated 19.09.2006
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